

faction of the court, that such advertisements were duly set up, and notice given as aforesaid, or upon the other persons interested appearing, the court may issue a commission to any five or three persons, agreed on by all parties, empowering them, or a majority of them, to mark and bound the land mentioned in such commission, according to the directions of this act; but if the persons interested, or any of them, shall not agree on the persons for commissioners, then shall the court appoint three or five discreet persons, skilled in land affairs, not interested in the lands, nor related to either of the parties, to whom a commission shall issue in manner aforesaid.

By November, 1787, ch. 22, a commission may issue on application, &c. to mark and bound lands held by bodies politic and corporate.

SEC. 3. *And be it enacted*, That the said commissioners, or a majority of them, shall cause advertisements to be set up at the door of the court-house of their county, and such other public places as they may judge most effectual, notifying the time of their meeting, thirty days at the least before their meeting, and shall meet on the land, to proceed in the execution of their commission, agreeable to the notice given by them as aforesaid; but before any commissioner shall proceed in the execution of any such commission, otherwise than by giving notice as aforesaid, and issuing summonses for witnesses, he shall take an oath or affirmation before some justice of the peace, or some other of the commissioners, that he will settle and adjust the location of the land mentioned in such commission, most agreeable to the true original location thereof, according to the evidences and circumstances which shall be offered or appear to him, without favour, affection or partiality, according to the best of his experience and judgment, and will make a true return thereof.

Commissioners to advertise, &c.

SEC. 4. *And be it enacted*, That summonses for witnesses may issue out of the county court, or by the said commissioners, or a majority of them, and witnesses summoned shall attend, and be subject to punishment by the county court for not attending, in the same manner as on summonses issued by, and returnable to, county courts; and the commissioners may cause the land mentioned in such commission, as well as any other lands they may think proper, to be surveyed by the surveyor of the county, or such other skilful person as they may think fit to appoint, and may administer an oath to the surveyor, and also to the chain-carriers, to execute their respective duty as surveyor or chain-carrier, as the case may be, faithfully and impartially, according to the best of their skill; and shall also administer an oath or affirmation to every witness, that the evidence which such witness shall give to the commissioners

Summonses may issue, &c.